

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2103-01
Bill No.: HB 892
Subject: Makes various changes regarding sanitation in and inspection of food establishments.
Type: Original
Date: April 2, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Action Center for the City of Kansas City (Action Center)** stated this bill, as written, would require that they prosecute in county court every violation found in a grocery store. This would require a tremendous amount of time to prepare charges, obtain legal approval and docket court dates. Inspectors would have to allocate a great deal of time to testify in court. In Kansas City, the Action Center finds a few hundred violations of the food code (most very minor) in a year's time. If required to prosecute all, as this bill does, the Action Center would have to double its staff size. The cost of this bill to the City of Kansas City, as currently written, would approach \$900,000.

Oversight notes that the language referred to by the Action Center, Section 196.230.1., is part of the current law. Therefore, Oversight assumes the proposed legislation would not result in additional costs to local governments.

Officials from the **Department of Health (DOH)** stated this legislation would not be expected to significantly impact the operations of the DOH. If the proposal were to substantially impact the DOH programs, then the DOH would request funding through the appropriations process.

Officials from the **City of St. Louis, St. Louis County, and Jackson County** did not respond to our request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

The proposed legislation could increase the costs of small businesses as a result of increased fines and litigation costs associated with inspection violations. The estimated fiscal impact is unknown.

DESCRIPTION

This bill requires all state, county, and municipal health officials or inspectors to utilize the 1999 Missouri Food Code for the inspection of food establishments.

The Department of Health is required to notify the Division of Nutritional Services of any violation of Sections 196.190 to 196.265, RSMo (Sanitation in Food Establishments) found during an inspection of any grocery store.

Any grocery store, convenience store, or food distribution establishment that redeems state-issued Women, Infant, and Children (WIC) vouchers and receives 2 unsatisfactory health examinations or inspections from the department within a 3-year period is prohibited from participating in the WIC Program for a period of not less than 6 months.

The fine is increased to \$100 a day for a violation of food sanitation laws. Under current law, the fine for the first offense is \$10 or no more than \$100.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Health
City of Kansas City

NOT RESPONDING: City of St. Louis, St. Louis County, and Jackson County.



Jeanne Jarrett, CPA
Director

April 2, 2001